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THE GILLETTE COMPANY
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**OFFICE OF PETITIONS
ON PETITION**

In re Application of :
William R. Brown, et al. :
Application No. 09/824,310 :
Filed: April 2, 2001 :
Attorney Docket No. OB-193 :

This is a decision on the petition under 37 CFR 1.137(b), filed May 24, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed October 22, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on January 23, 2004.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, the \$950 extension of time submitted with the petition on May 24, 2004 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account number 07-1350.

The application file is being forwarded to Technology Center 1700, Art Unit 1744 for further processing.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-5594.

Retta Williams

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for Patent Examination Policy